

BILL NO. Z-70-12- 23

ZONING MAP ORDINANCE NO. Z- 138-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. E-12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. E-12 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northeast Quarter of Section 30, Township 30 North, Range 13 East, in Allen County, Indiana, commencing on the North line of said quarter at a point 420 feet West of the Northeast corner thereof; thence Westerly along the North line of said quarter as defined by the centerline of the Paulding Road a distance of 180 feet; thence Southerly along the East line of Continental Park Addition a distance of 726 feet; thence Easterly parallel to the North line of said Quarter a distance of 180 feet; thence Northerly parallel to the East line of said Addition a distance of 726 feet to the point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY.


Associate
CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Nuckols and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock P.M., E.S.T.

Date: 12-29-70

Fuad H. Bonahoom
City Clerk

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	<u>2</u>	to-wit:
Adams	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Dunifon	<u>✓</u>	_____	_____	_____	_____	_____	<u>✓</u>	
Fay	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Geake	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Nuckols	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Robinson	<u>✓</u>	_____	_____	_____	_____	_____	<u>✓</u>	
Rousseau	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Steigerwald	<u>✓</u>	_____	_____	_____	_____	_____	_____	
Tipton	<u>✓</u>	_____	_____	_____	_____	_____	_____	

Date 2-23-71

Fuad H. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 2-138-7

on the 23rd day of February, 1971.

ATTEST: (SEAL)

Fuad H. Bonahoom
City Clerk

Phillip H. Thompson
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of February, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad H. Bonahoom
City Clerk

Approved and signed by me this 25th day of February, 1971 at the hour of 10:33 o'clock A.M., E.S.T.

Harold L. Zeis
Mayor

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 29, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-12-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

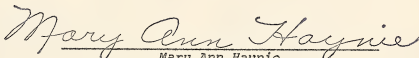
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1971;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 25, 1971.

Certified and signed this
17th day of February 1971.



Mary Ann Haynie
Secretary

Bill No. Z-70-12-23

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. E-12,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

HERBERT G. TIPTON, Chairman

JACK K. DUNIFON, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

JOHN H. ROBINSON

Herbert G. Tipton

Thomas G. Adams
Wm. K. Geake

CONCURRED IN

DATE 2-23-71 RUAD G. BONAHOOM, CITY CLERK

RECEIPT

Nº 45

GENERAL FUND

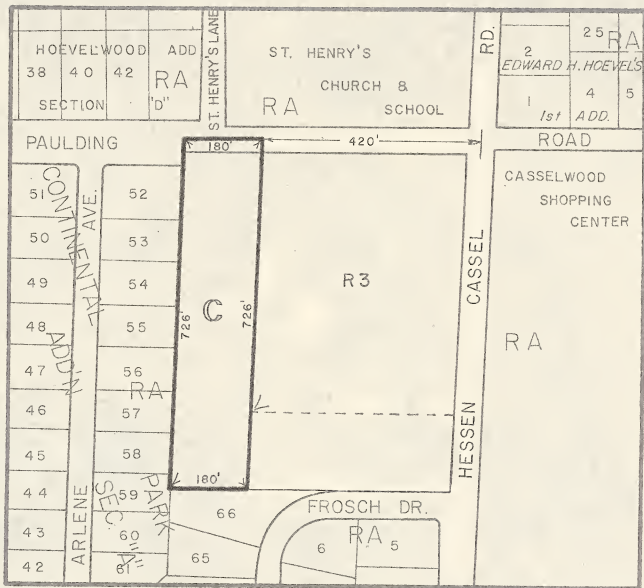
FT. WAYNE, IND., Dec 2 1970

RECEIVED FROM Lincoln Natl. Bank & Trust Co. \$ 50.00

THE SUM OF Fifty & no 100 DOLLARS

ON ACCOUNT OF Reopening Petition
Hessen Cassel Library

A Rogers
AUTHORIZED SIGNATURE



© CHANGE FROM RA TO R3

L-70-12-23

N

PETITION TO REZONE

To the Common Council of the City of Fort Wayne

We, being the owner and contract purchaser of all of the real estate within the zoning jurisdiction of the Common Council described as follows:

Part of the Northeast Quarter of Section 30, Township 30 North, Range 13 East, in Allen County, Indiana, commencing on the North line of said quarter at a point 420 feet West of the Northeast corner thereof; thence Westerly along the North line of said quarter as defined by the centerline of the Paulding Road a distance of 180 feet; thence Southerly along the East line of Continental Park Addition a distance of 726 feet; thence Easterly parallel to the North line of said Quarter a distance of 180 feet; thence Northerly parallel to the East line of said Addition a distance of 726 feet to the point of beginning,

respectfully petition the Common Council to rezone said real estate from an RA to an R-3 District.

FORT WAYNE PUBLIC LIBRARY

By Fred J. Reynolds
Purchaser

LINCOLN NATIONAL BANK AND
TRUST COMPANY OF FORT WAYNE

By Lloyd E. Beatty
Lloyd E. Beatty, President

By Luben Lazoff
Luben Lazoff, Assistant Cashier
Owner

Lincoln National Bank and Trust Company
STANDARD AND KAST
605-610 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802

Michael H. Kast
Attorney

Area Code 219

February 12, 1971

City Floor Commission
490 S. Gallean Street
Fort Wayne, Indiana 46802
and
City Council
Fort Wayne, Indiana

Re: Pending Petition to Rezone Certain Real Estate
located on the Southwest corner of Paulding Road
and Hessen Cassel Road.

Gentlemen:


This letter is to express the understanding and covenant of the Lincoln National Bank and Trust Company of Fort Wayne as seller, and the Fort Wayne Public Library, as buyer, that should the Petition to Rezone pending before the City Floor Commission and soon to be presented to the City Council be approved as submitted, that both the seller and buyer agree to impose in their conveyance documents or otherwise, an 80 foot building line restriction existing 80 feet east and parallel to the east boundary line of Continental Park Addition, according to the recorded plat thereof, said east line being that portion thereof which abuts the west property line of the property to be rezoned. It is expressly understood and agreed that said 80 foot building line shall restrict only the erection and maintenance of buildings but not the use of said property for parking, landscaping and other ground level uses.

Respectfully submitted,

LINCOLN NATIONAL BANK
AND TRUST COMPANY

By 
Michael H. Kast, Attorney

FORT WAYNE PUBLIC LIBRARY

By 
David R. Heaton, Attorney for

Common Council, City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

87

1

88

COMPUTATION OF CHARGES

88 lines.....columns wide equals.....equivalent lines at 28¢
cents per line \$ 25.36

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 25.36

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date March 17, 1971

Title CLERK

Legal Notices

Notice is hereby given that on the 23rd day of February, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Zoning Map Ordinance, to-wit:

ZONING MAP ORDINANCE NO. 2-138-71
AN ORDINANCE amending the City of Fort Wayne Zoning Map.
BE IT OBTAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1964, as amended by General Ordinance No. 263 and amendments thereto and the symbols on the City of Fort Wayne Zoning Map No. E-12 referred to herein, established by Section 9, Article 1 of said Charter as amended, are hereby changed accordingly, to-wit:

Part of the Northeast Quarter of Section 36, Township 30 North, Range 13 East, in Allen County, Indiana, commencing on the North line of said quarter of a point 400 feet West of the Northeast corner thereof; thence West-erly along the North line of said quarter as defined by the centerline of the Houlihan Road a distance of 180 feet; thence Southerly along the East line of Continental Park Addition a distance of 72 feet; thence Southerly parallel to the North line of said quarter a distance of 180 feet; thence Southerly parallel to the East line of said addition a distance of 72 feet to the point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereof.

JACK C. GUNIFON, Councilman.
Read third time for final passage and adoption by Tipton seconded by Greke and duly adopted, placed on its passage. Passed by the following vote:Ayes: Adams, Fay, Greke, Nuckols, Rousseau, Steinerwald, Tipton.
Nays: none.
Absent: two, to-wit: Councilman Dunfion and Robinson.Date: 2-23-71. FLOD G. BONAHOOM, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on Zoning Map Ordinance No. 2-137-71 on the 23rd day of February, 1971.

ATTEST: FLOD G. BONAHOOM, City Clerk.

PHIL A. STEIGERWALD, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of February, 1971 at the hour of 8:30 o'clock A.M., E.S.T.FLOD G. BONAHOOM, City Clerk.
Approved and signed by me this 25th day of February, 1971 at the hour of 10:30 o'clock A.M., E.S.T.ADAROLD S. ZEIS, Mayor.
I, Flod G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-138-71 passed by the Common Council on the 23rd day of February, 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 25th day of February, 1971 and now remains on file and on record in my office.WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 25th day of February, 1971.
FLOD G. BONAHOOM, City Clerk.
3-4-15.

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

March 8, 1971

March 15, 1971

Subscribed and sworn to before me this 17th day of March 1971.

Cuth Stapleton Notary Public

My commission expires March 8, 1974

To NEWS-SENT INEL Dr

FORT WAYNE, INDIANA

LINE COUNT

Total number of lines in notice

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 25.34

Size of quad upon which type is cast $5\frac{1}{2}$

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Title Clerk

My commission expires March 8, 1974 Notary Public

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

JACK K. DUNIFON, Councilman.

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven:
Addors, Fay, Geake, Nuckols, Rousseau, Steigerwald, Tipton.

Nays none

Absent two, to-wit: Councilman Dunifon and Robinson.

Date: 2-23-71.
 Fuad G. BONAHOOM, City Clerk.
 Passed and adopted by the Common
 Council of the City of Fort Wayne, Indiana
 as Zoning Map Ordinance No. Z-137-71 on
 the 23rd day of February, 1971.
 ATTEST: Fuad G. Bonaboom, City
 Clerk.

PHIL A. STEIGERWALD,
Presiding Officer.
Presented by me to the Mayor of the
City of Fort Wayne, Indiana, on the 24th
day of February, 1971 at the hour of 8:30

Approved and signed by me this 25th day of February, 1971, at the hour of 10:33 o'clock A.M., E.S.T.

1, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Zoning Map No. 7,300-71 passed by the Com-

Ordinance No. Z-138-71 passed by the Common Council on the 23rd day of February, 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 25th day of February, 1971, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of February, 1971.

FUAD G. BONAHOOM, City Clerk.